

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**MARIA CASANOVA,**

**Plaintiff,**

**vs.**

**WALMART STORES, INC.,**

**Defendant.**

**8:19CV199**

**AMENDED  
FINAL PROGRESSION ORDER**

This matter comes before the Court on the Motion to Alter Deadlines ([Filing No. 12](#)). After a review of the motion, the Court finds good cause to grant the requested extensions. Accordingly,

**IT IS ORDERED** that the final progression order is amended as follows:

- 1) The telephonic status conference set for September 13, 2019, is cancelled. A telephonic conference to discuss the status of case progression and the parties' interest in settlement will be held with the undersigned magistrate judge on **April 6, 2020**, at **11:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The jury trial and final pretrial conference are cancelled and will be reset at a later date.
- 3) The deadline for moving to amend pleadings or add parties is **December 11, 2019**.
- 4) The deadline for completing written discovery under Rules 33, 34, and 36 of the Federal Rules of Civil Procedure is **March 27, 2020**. Motions to compel discovery under Rules 33, 34, and 36 must be filed by **April 3, 2020**.

**Note:** A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 5) The deadlines for identifying expert witnesses expected to testify at the trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff:

For the defendant:

**December 16, 2019**

**January 17, 2020**

- 6) The deadlines to complete expert disclosures<sup>1</sup> for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff:

**January 6, 2020**

For the defendant:

**February 7, 2020**

- 7) The deposition deadline is **March 27, 2020**.

The maximum number of depositions that may be taken by the plaintiffs as a group and the defendants as a group is **5**.

- 8) The deadline for filing motions to dismiss and motions for summary judgment is **May 1, 2020**.
- 9) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **May 15, 2020**.
- 10) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 11) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 11<sup>th</sup> day of September, 2019.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge

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<sup>1</sup> While treating medical and mental health care providers are generally not considered “specially retained experts,” not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert’s treatment records and reports must be separately and timely disclosed.